



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Cynthia L. Cassel et al.

Serial Nº:

Filed:

Entitled:

Combination Breathing Monitor Alarm

and Audio Baby Alarm

Docket Nº:

887

Date:

January 10, 2001

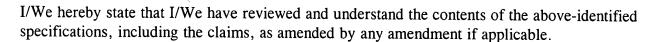
### **DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I/We hereby declare that:

My/Our residence, post office address(es) and citizenship(s) are as stated below next to my/our name(s).

I/We believe I/We am/are the original, first and sole inventor of the subject matter which is claimed (if only one name is listed below) or an original, first and joint inventor of the subject matter which is claimed (if plural names are listed below) and for which a patent is sought on the invention entitled **Combination Breathing Monitor Alarm and Audio Baby Alarm**, the specification of which is attached hereto.

I/We further state that I/We do not know and do not believe that the above-named invention has ever been known or used in the United States before my invention thereof, or patented or described in any printed publication in any country before my invention thereof, or more than one year prior to this application, or in public use or on sale in the United States more than one year prior to this application; that the invention has not been patented or made the subject of any inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than six (6) months prior to this application; and that no application for patent or inventor's certificate on the invention has been filed by me or my representatives or assigns in any country foreign to the United States except as identified below.



I/We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I/We hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

#### None.

I/We hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112. I/We acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

#### None.

I/We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I/We hereby appoint the following Patent Attorney, with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith:

John D. Gugliotta, P.E., Esq., Registration No. 36,538 P. Jeff Martin, Registration No. 47,773

I/We hereby request that all correspondence be directed to: Law Offices of John D. Gugliotta, P.E., Esq., 202 Delaware Building, 137 South Main Street, Akron, OH 44308 which is also the address of the above-listed attorneys; and that all telephone calls be directed to (330) 253-5678.

# **SOLE OR FIRST INVENTOR:**

Full Name of First Inventor: Cynthia L. Cassel

Signature of: Cynthia L. Cassel

Residence of: Cynthia L. Cassel, Connellsville, PA

Citizenship of: Cynthia L. Cassel, UNITED STATES

Post Office Address of: Cynthia L. Cassel, 1205 Rockridge Rd. Connellsville, PA 15425

# **JOINT OR SECOND INVENTOR (IF ANY):**

Full Name of Second Inventor: Robert H. Cassel, Jr.

Signature of: Robert H. Cassel, Jr.

1-18-01

Residence of: Robert H. Cassel, Jr., Connellsville, PA Citizenship of: Robert H. Cassel, Jr., UNITED STATES

Post Office Address of: Robert H. Cassel, Jr., 1205 Rockridge Rd. Connellsville, PA 15425

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VERI S	FIED STATEMENT (DECLARATION) CI FATUS (37 CFR 1.9(f) and 1.27(b) - INDE	LAIMING SMALL ENTITY PENDENT INVENTOR
defined in 37 Title 35, Unitentitled as ab	amed inventor, I hereby declare that I qualify CFR 1.0(c) for purposes of paying reduced for the States Code, to the Patent and Trademark ove and described in	ees under section 41(a) and (b) of
	pecification filed herewith ation serial number, filed no, issued	
contract or la who could no made the inve	t assigned, granted, conveyed or licensed and w to assign, grant, convey or license any right be classified as an independent inventor undention, or to any concern which would not quark 1.9(d) or a nonprofit organization under 37	ts in the invention to any person er 37 CFR 1.9© if that person had alify as a small business concern
licensed or an	concern or organization to which I/We have a under obligation under contract or law to as nvention is listed below:	assigned, granted, conveyed, or sign, grant, convey, or license any
	ch person, concern, or organization ons, concerns or organizations listed below*	
*NOTI organiz 1.27).	E: Separate verified statements are required from exation having rights to the invention averring to the	each named person, concern or eir status as small entity. (37 CFR





I/We acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I/We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

#### **SOLE OR FIRST INVENTOR:**

Full Name of First Inventor: Cynthia L. Cassel	
Signature of: Cynthia L. Cassel	1-18-01
Signature of: Cynthia L. Cassel	Date

### **JOINT OR SECOND INVENTOR (IF ANY):**

Full Name of Second Inventor: Robert H. Cassel, Jr.

Signature of: Robert H. Cassel, Jr.

Date